

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Julian Phillips	Team: Squad #6	CCRB Case #: 201808487	<input checked="" type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Friday, 09/28/2018 9:14 PM	Location of Incident: § 87(2)(b)	Precinct: 84	18 Mo. SOL 3/28/2020	EO SOL 11/12/2020	
Date/Time CV Reported Sun, 09/30/2018 1:38 PM	CV Reported At: IAB	How CV Reported: Phone	Date/Time Received at CCRB Fri, 10/12/2018 11:08 AM		

Complainant/Victim	Type	Home Address
§ 87(2)(b)	§ 87(2)(b)	§ 87(2)(b)

Witness(es)	Home Address
§ 87(2)(b)	§ 87(2)(b)

Subject Officer(s)	Shield	TaxID	Command
1. Officers			Unknown
2. SGT Edouardo Stfort	04294	937581	084 PCT

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. POF Stephanie Henman	01635	964552	084 PCT
2. POM Anthony Sideratos	14587	956259	084 PCT
3. POM Leonardo Gomez	20384	930236	084 PCT
4. DTS Michael Black	4128	938070	ESS 08
5. DTS Robert Romano	7517	939363	ESS 08
6. CPT Adeel Rana	00000	935565	084 PCT
7. SGT Damon McMullen	01315	933986	ESS 08

Officer(s)	Allegation	Investigator Recommendation
A. Officers	Abuse: Officers threatened to damage § 87(2)(b) property.	§ 87(2)(b)
B. Officers	Abuse: Officers damaged § 87(2)(b) property.	§ 87(2)(b)
C. Officers	Force: Officers used physical force against § 87(2)(b)	§ 87(2)(b)
D. SGT Edouardo Stfort	Abuse: Sergeant Edouardo St Fort forcibly removed § 87(2)(b) to the hospital.	§ 87(2)(b)
E. Officers	Abuse: Officers seized § 87(2)(b) property.	§ 87(2)(b)

Case Summary

On September 30, 2018, § 87(2)(b) called 911 and reported this incident. On September 30, 2018, Sergeant Seungwoo Seo of the 84th Precinct provided details of the incident to the NYPD's Internal Affairs Bureau, generating the original log number 2018-38264. On October 12, 2018, IAB forwarded this complaint to the CCRB.

On September 28, 2018, at approximately 9:14 p.m., in the vicinity of § 87(2)(b) in Brooklyn, unidentified officers of the 84th Precinct allegedly threatened to break down § 87(2)(b) apartment door and damaged the handle of § 87(2)(b) apartment door (**Allegations A and B: Abuse of Authority, § 87(2)(g)**). When § 87(2)(b) finally opened the door, unidentified ESU officers allegedly brought § 87(2)(b) to the ground and placed her in handcuffs (**Allegation C: Force, § 87(2)(g)**). Sergeant Edouardo St Fort of the 84th Precinct oversaw the forcible removal of § 87(2)(b) to a hospital (**Allegation D: Abuse of Authority, § 87(2)(g)**). Officers then allegedly removed a charm from § 87(2)(b) necklace (**Allegation E: Abuse of Authority, § 87(2)(g)**).

There was Body Worn Camera footage of this incident. Please note that the original footage is embedded in Investigative Actions 42, 43, 44, 44, 45, 46, 47, 48, 49 and summaries are embedded in Investigative Actions 50, 51 52, 53, 54, 55, 56, and 57.

Findings and Recommendations

Allegation (A) Abuse of Authority: Officers threatened to damage § 87(2)(b) property.

Allegation (B) Abuse of Authority: Officers damaged § 87(2)(b) property.

Allegation (E) Abuse of Authority: Officers seized § 87(2)(b) property.

In a phone statement to the CCRB (Board Review 04), § 87(2)(b) stated that unidentified officers knocked on her door and stated that they would break the door down. § 87(2)(b) stated that as a result of the officers knocking on the door, the handle of the door was damaged. § 87(2)(b) further stated that, immediately after she was handcuffed, officers removed a charm from her necklace, which was not returned to her. § 87(2)(b) did not provide a sworn statement to the CCRB.

Video footage does not capture this portion of the incident.

§ 87(2)(g)

Allegation (C) Force: Officers used physical force against § 87(2)(b)

Allegation (D) Abuse of Authority: Sergeant Edouardo St Fort forcibly removed § 87(2)(b) to the hospital.

It is undisputed that, under the supervision of Sgt. St Fort, officers and EMTs responded to § 87(2)(b) residence after receiving a 911 call from § 87(2)(b) mother that § 87(2)(b) had consumed two bottles of pills with the intention of committing suicide. § 87(2)(b) was handcuffed and escorted to an ambulance, which transported her to § 87(2)(b).

In her phone statement to the CCRB, § 87(2)(b) alleged that when she eventually opened the door, officers grabbed hold of her arm and forced her onto the floor before she was handcuffed and leg-shackled.

The Event associated with this incident (Board Review 02) indicated that § 87(2)(b) called 911 and stated that EMTs were on scene and informed her that they were not going to leave without her.

Sgt. St Fort testified (Board Review 01) that unidentified ESU officers, who had been called to the apartment after § 87(2)(b) initially refused to open the door, escorted § 87(2)(b) out of the building and into the ambulance. He did not see if any force was used to place her in handcuffs.

The NYPD Patrol Guide, Procedure 221-13 (Board Review 03), states that, “a person who appears to be mentally ill or temporarily deranged and is conducting himself in a manner which a police officer reasonably believes is likely to result in serious injury” should be restrained and removed to a hospital via ambulance. NYPD Patrol Guide, Procedure 216-01 (Board Review 09) states that uniformed members of the service concerned shall cooperate with ambulance personnel in every reasonable manner.

§ 87(2)(g)

§ 87(2)(g)

Civilian and Officer CCRB Histories

- § 87(2)(b)
[REDACTED]
[REDACTED]
 - [REDACTED]
[REDACTED]
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
[REDACTED]
 - [REDACTED]
[REDACTED]
 - [REDACTED]
[REDACTED]
- Sgt. St Fort has been a member of service for 14 years and this is the first CCRB complaint to which he has been a subject.

- This complaint was not suitable for mediation.
- As of January 17, 2019, the New York City Office of the Comptroller has no record of a Notice of Claim being filed in regards to this complaint (Board Review 07).

- Squad No.: _____

Squad Leader: _____

Signature _____ Print Title & Name _____ Date _____

Reviewer: _____

Signature _____ Print Title & Name _____ Date _____